

**Section-by-Section Analysis of the
College Access and Opportunity Act of 2005
H.R. 609
As Reported by the Subcommittee on 21st Century Competitiveness**

Section 1. Short Title; table of contents.

States the short title as the “College Access and Opportunity Act of 2005.” Contains the Table of Contents.

Section 2. References; effective date.

Establishes the effective date as the date of enactment. States that, unless otherwise noted, any amendment to repeal or amend a section or provision amends or repeals a section or provision of the Higher Education Act of 1965.

TITLE I – GENERAL PROVISIONS

Section 101. Definition of institution of higher education.

Strikes sections 101 and 102 and inserts new sections 101 and 102. Creates a single definition of an institution of higher education under section 101. Includes within the list of students an institution may enroll to meet the definition those students who are dually enrolled at the institutions and a secondary school. Clarifies requirements for the legal authorization of foreign schools. Repeals the 50 percent rule as it pertains to distance education by telecommunication. Clarifies the institutional eligibility criteria applicable to foreign not-for-profit veterinary schools. Removes the requirement for students attending Canadian Medical schools to take the Foreign Medical exam. Requires the Secretary to publish qualifying criteria by regulations and establish an advisory panel with regards to evaluating the qualifications of foreign medical schools. Adds a new section 123 that clarifies how proprietary institutions may use grant funds and makes proprietary institutions ineligible for funds under titles III and V of this Act. Makes conforming amendments regarding home-schooled students. Amends the title of 484(d) to read “(d) Satisfaction of Secondary Education Standards.” Makes several conforming amendments to reflect the single definition of institutions of higher education.

Section 102. New borrower definition.

Amends section 103(7) to clarify definition of “new borrower” and separate the FFELP and Direct Loan programs from the Perkins program.

Section 103. Student speech and association rights.

Amends section 112 to clarify the current Sense of Congress regarding student speech and association rights.

Section 104. Extension of National Advisory Committee on Institutional Quality and Integrity.

Amends section 114(g) to extend the authorization of the National Advisory Committee on Institutional Quality and Integrity.

Section 105. Alcohol and drug abuse prevention.

Amends section 120(e)(5) to extend the Alcohol and Drug Abuse prevention grants.

Section 106. Prior rights and obligations.

Amends section 121(a) to extend the authorization to continue coverage of prior rights and obligations for servicing of outstanding bonds from old title VII bonds.

Section 107. Limitation on certain uses of funds.

Amends part A of title I by inserting a new section 123 that prohibits funds from this Act from being used for publicity or propaganda not authorized by Congress or for any prepackaged news story not authorized by law unless it includes a clear notification that the story was prepared or funded by the Department of Education.

Section 108. Consumer information and public accountability in higher education.

Amends section 131 by rewriting the section. Outlines the purpose of the section. Requires the Secretary to assess the key data elements that are of greatest importance to students and families; convene a group of experts to determine what data elements are important, cost-effective strategies for institutions to employ to collect necessary data, and the general comparability of data across institutions; to make recommendations on what data elements to include on the redesigned COOL website; and, to assure that the redesigned COOL website uses data elements currently provided by institutions, includes clear and uniform information, provides comparable information, and includes a sorting function. Also requires the Secretary to redesign the Integrated Postsecondary Education Data Systems as necessary. Requires the Commissioner of Education Statistics to publish data each academic year on college costs and student financial assistance. Requires the Secretary to make available, at a minimum, the data collected pursuant to this section in a manner that permits the review and comparison of institutions and is easily accessible and understandable. Requires the Secretary to work with public and private entities to promote broad public awareness, particularly among middle and high school students and their families, of the information made available under this section. Requires the Secretary to distribute this information to students who participate in Federally funded education programs and other Federal programs as determined by the Secretary. Establishes a college affordability index and requires institutions that exceed the index to report how they will work to address that increase. If the Secretary determines that an institution who has exceeded the index has failed to comply with its management plan and has failed to meet the index for two consecutive academic years, the Secretary is required to publicly report the institution's costs and expenditures and

tuition and fees from students, place the institution on an affordability alert status, notify the institution's accrediting agency, and may require the institution to submit to a review and audit by the Department's Inspector General. Provides for a relative price exemption and dollar increase exemption to this requirement. Establishes classes of institutions for the purposes of comparing costs. Permits the Secretary to impose fines on institutions that fail to provide the necessary information in a timely and accurate manner. Requires GAO to conduct a study of best practices regarding costs. Requires an interim report in 2010 and a final report in 2012. Makes technical amendments regarding data collection and references to other sections. Requires the Secretary conduct the student aid survey every 4 years.

Section 109. Databases of student information.

Inserts a new section 132 that states that nothing in the Act should be construed to authorize the design, development, creation, implementation, or maintenance of a nationwide database of personally identifiable information on individuals receiving assistance, attending institutions receiving assistance, or otherwise involved in any studies or other collections of data under this Act, including a student unit record system, an education bar code system, or any other system that tracks individual students over time. The new section clarifies that this prohibition does not affect the loan obligation enforcement activities described in section 485B of this Act.

Section 110. Performance-based organization.

Revises section 141 to clarify the goals of the Performance-Based Organization related to the costs of administering the student aid programs. Clarifies the definition of "year." Revises the consultation process on the annual performance plan to include guarantors and secondary markets. Makes technical amendments to correct various citations.

TITLE II – TEACHER PREPARATION

Section 201. Teacher quality enhancement grants.

Amends Part A of Title II by rewriting sections 201 through 210.

Section 201 outlines the purposes and definitions for the title. States the need for holding institutions of higher education accountable for preparing highly qualified teachers. Defines or modifies the definition for the following terms: "Arts and Sciences," "Exemplary Teacher," "Highly Qualified," "High-Need Local Educational Agency," "Poverty Line," "Professional Development," "Scientifically Based Reading Research," "Scientifically Based Research," and "Teaching Skills."

Section 202 authorizes the State Grants competitive grant program for eligible States. Defines the term "Eligible State" and outlines requirements for applications for grants. Requires States to use funds to reform teacher preparation requirements, coordinate with State activities under section 2113(c) of the Elementary and Secondary Education Act of

1965, and ensure that current and future teachers are highly qualified. Authorizes grant recipients to use funds to develop teacher preparation programs that prepare highly qualified teachers who are able to understand scientifically based research and its applicability, and are able to use advanced technology effectively in the classroom; reform teacher certification, recertification, or licensing requirements to ensure that teachers have the necessary subject matter knowledge and teaching skills and that the requirements are aligned with challenging State academic content standards; provide prospective teachers with alternative routes to State certification and traditional preparation to become highly qualified teachers; implement innovative programs such as charter colleges of education or university and local educational agency partnership schools that enhance the ability of institutions of higher education to prepare highly qualified teachers; develop, or assist local educational agencies in developing, merit or bonus pay systems to retain principals and teachers; develop, or assist local educational agencies in developing, teacher advancement and retention initiatives that promote professional growth and emphasize multiple career paths and pay differentiation; develop and implement effective mechanisms to ensure that local educational agencies and schools are able to remove incompetent or unqualified teachers consistent with procedures that ensure due process; provide technical assistance to low-performing teacher preparation programs; develop systems to measure the effectiveness of teacher preparation programs and professional development programs and strategies to document gains in student academic achievement or increases in teacher master of content; develop mechanisms to ensure that local educational agencies and schools are able to recruit and retain highly qualified teachers or provide activities as described in section 204(d); improve the qualifications of pre-school teachers and improve and expand preschool teacher preparation programs; incorporate the learning needs of gifted and talented students into the activities described in paragraphs (1), (2), or (3) of this subsection in order to ensure that new teachers possess basic knowledge and skills necessary to meet the educational needs of gifted and talented students; and, establish or expand new teacher mentoring and assessment programs that are a part of a licensure process which is designed to demonstrate that new teachers possess basic knowledge of the classroom indicators of giftedness, are able to identify student learning differences among gifted students, and are able to provide instruction to accommodate such differences. Requires States to develop and utilize a system to annually evaluate teacher preparation programs and professional development activities, and to publicize the results.

Section 203 authorizes the Partnership Grants competitive grant program for eligible partnerships. Defines the terms “Eligible Partnerships” and “Partner Institution” and outlines the requirements for applications for grants. Requires grantees to reform teacher preparation requirements, coordinate with State activities under section 2113(c) of the Elementary and Secondary Education Act of 1965, and ensure that current and future teachers are highly qualified by engaging in one or more of the following activities: implement reforms within teacher preparation programs to ensure that such programs are preparing teachers who are highly qualified, are able to understand scientifically based research and its applicability, and are able to use advanced technology effectively in the classroom; provide sustained and high-quality preservice and in-service clinical and mentoring experiences; create opportunities for enhanced and ongoing professional

development that improves academic content knowledge of teachers and promotes strong teaching skills; develop, or assist local educational agencies in developing, professional development activities that provide training in how to teach and address the needs of students with different learning styles and needs and provide training in improving student behavior and identifying interventions to help those students. Authorizes grantees to use funds to provide prospective teachers with alternative routes to State certification and traditional preparation to become highly qualified teachers; disseminate information on effective practices and coordinate activities with other State offices and agencies; develop and implement professional development programs for principals and superintendents that enable them to be effective school leaders and prepare all students to meet challenging State academic content and achievement standards; recruit students into the teaching profession; create opportunities for clinical experience and training in areas related to math, science, and technology; coordinate with community colleges to implement teacher preparation programs, including through distance education; establish or implement a teacher mentoring program for teachers in their first three years of teaching; train teachers to use computer software for multilingual education to address the needs of limited English proficient students; and, increase the knowledge and skills of preservice teachers participating in activities under the required uses of funds subsection in the educational and related needs of gifted and talented students. Requires that at least 50 percent of the funds made available under this section be used directly to benefit the high-need local educational agency included in the partnership. Requires that funds received under this section supplement, rather than supplant, other Federal, State, and local funds.

Section 204 authorizes the Teacher Recruitment Grants competitive grants program for eligible applicants. Defines the term “Eligible Applicant” and outlines the requirements for applications for grants. Requires grantees to use funds to award scholarships to help students pay the costs of tuition, room, board, and other expenses of completing a teacher preparation program; provide support services to enable students to complete a program and transition from another field into a teaching career; provide followup services to former scholarship recipients during the recipient’s first three years of teaching; and develop mechanisms to ensure that high-need local educational agencies and schools are able to effectively recruit highly qualified teachers. Authorizes grantees to use funds to develop effective mechanisms to recruit into the teaching profession employees from high-demand industries and the fields of math, science, and engineering; conduct outreach and coordinate with inner city and rural secondary schools to encourage students to pursue teaching careers; and, develop and implement dual degree programs that enable students at institutions of higher education to earn two undergraduate degrees concurrently, one of which being in education and the other in the subject matter of the student’s choosing. Requires scholarship recipients to teach in a high-need local educational agency for a certain time period or repay the scholarship. Requires the Secretary of Education to give priority to eligible applicants who provide an assurance that they will recruit a high percentage of minority students to become highly qualified teachers.

Section 205 outlines administrative provisions for Part A of Title II. Specifies the duration of grants awarded under this part and that grantees under sections 203 and 204 may only receive a grant once. Requires the Secretary to refer applications for grants under this part to a peer review panel for evaluation. Outlines the priorities the peer review panel should consider in making recommendations to the Secretary. Requires the Secretary to determine, based on the peer review process, which application shall receive funding and the amounts of the grants. Requires grantees under this part to provide matching funds. Limits to two percent the amount of the grant that can be used on administration expenses.

Section 206 requires grantees under section 202 to submit an annual accountability report to the Secretary and the education committees of Congress. Outlines the areas that are to be covered by the accountability report. Requires grantees under section 203 to establish as a condition of submitting an application an evaluation plan that includes strong performance objectives. Outlines the objectives and measures that are to be considered by the plan. Requires grantees under sections 202 and 203 to report annually on the progress toward meeting the purposes of this part and the goals, objectives, and measures described in subsections (a) and (b) of the section. Requires the Secretary to withhold certain grant payments if the Secretary determines that a grantee is not making substantial progress in meeting the purposes and goals of the appropriate section. Requires the Secretary to evaluate the activities funded under this part, report his or her findings to the education committees of Congress, and broadly disseminate information regarding both successful and ineffective practices.

Section 207 requires each State that receives funds under the Act to submit to the Secretary annually a State report card on the quality of teacher preparation in the State. Outlines what is required to be included in the report. Requires the Secretary to provide annually a report to Congress on teacher qualifications and preparation in the United States. Outlines what is required to be included in the report. Requires the Secretary to coordinate, to the extent practicable, the information collected and published under this part among States for teachers who become certified in a State other than the one in which they received their most recent degree. Requires each institution of higher education or alternative certification program that conducts a teacher preparation program that enrolls students who receive Federal aid under this Act to submit an annual report to the State and the general public on both traditional certification or licensure programs and alternative certification or licensure programs. Outlines what is required to be included in the report and how the report must be published and disseminated. Permits the Secretary to impose a fine on an institution of higher education for failure to provide the required information in a timely or accurate manner.

Section 208 requires each State that receives funds under the Act to have in place a procedure to identify and assist, through the provision of technical assistance, low-performing programs of teacher preparation within institutions of higher education. Requires each State that receives funds under the Act to provide annually a list of such low-performing programs, including programs in danger of being placed on the list. Requires States receiving funds under this title to develop plans to close or reconstitute

underperforming programs of teacher preparation within institutions of higher education. States that any institution of higher education that provides a program of teacher preparation in which the State has withdrawn its approval or terminated financial support due to low performance will be ineligible for any funding for professional development activities awarded by the Department of Education and will not be permitted to enroll any student who receives aid under Title IV of the Act in the institution's teacher preparation program.

Section 209 requires the Secretary to ensure that States and institutions of higher education use equitable methods in reporting and that the reporting not allow for the identification of individuals. Outlines procedures for the Secretary to collect data from States in which there are no certification or licensure assessments or that do not set minimum performance levels on those assessments. Prohibits Federal control over any aspect of any private, religious, or home school, and clarifies that nothing in this section prohibits private, religious, or home schools from participating in the programs under this part. Clarifies that nothing in this part encourages or requires any changes in a State's treatment of any private, religious, or home school. Prohibits the Secretary from establishing or supporting any national system of teacher certification.

Section 210 establishes the authorization of appropriations for this part as \$300 million for fiscal year 2006 and such sums for each of the 5 succeeding fiscal years. Establishes the percentages of funds to be available for sections 202, 203, and 204, respectively.

Section 202. Preparing tomorrow's teachers to use technology.

Amends section 222(a) by establishing nonprofit telecommunications entities as eligible applicants.

Amends section 223(b) by clarifying that funds should focus on using technology to increase student academic achievement.

Amends section 224 with regards to the authorization of appropriations.

Section 203. Centers of excellence.

Amends Title II by inserting a new part C.

Section 231 establishes the purposes for this part. Defines the following terms: "Eligible Institution," "Highly Qualified," "Scientifically Based Reading Research," and "Scientifically Based Research."

Section 232 authorizes the Centers of Excellence competitive grant program. Requires grantees to ensure that current and future teachers are highly qualified. Requires grantees to use funds to implement reforms within teacher preparation programs to ensure that such programs are preparing teachers who are highly qualified, are able to understand scientifically based research, and are able to use advanced technology effectively in the

classroom to improve student academic achievement; provide new teachers sustained and high-quality preservice clinical experience, mentoring from exemplary teachers, and increased interaction between faculty at institutions of higher education and new and experienced school personnel; develop initiatives to promote retention of highly qualified teachers and principals, including minority teachers and principals; award need-based scholarships to help students pay the cost of tuition, room, board, and other expenses; disseminate information on effective practices for teacher preparation and successful teacher certification and licensure assessment preparation strategies; and activities authorized under sections 202, 203, and 204. Outlines the requirements for submitting an application. Sets the minimum grant under this part at \$500,000. Limits to two percent the amount of a grant that can be used for administrative expenses. Requires the Secretary to prescribe regulations as necessary.

Section 233 establishes the authorization of appropriations as \$10 million for fiscal year 2006 and such sums for the five succeeding fiscal years.

Section 204. Teacher incentive fund program.

Amends title II by inserting a new part D.

Section 241 outlines the purposes of this part and defines the terms “Eligible Entity” and “High-Need Local Educational Agency.”

Section 242 authorizes the Secretary to award competitive grants of up to 5 years in length for eligible entities to develop and implement, or expand, a comprehensive performance-based compensation system for teachers and principals for one or more local educational agencies. Outlines the necessary and permitted characteristics of a comprehensive performance-based compensation system under this part. Requires grantees to use funds only to design and implement, or expand, in collaboration with teachers, principals, other school administrators, and members of the public, a compensation system consistent with the requirements of this part. Allows grantees to use funds to: develop appraisal systems that reflect clear and fair measures of student academic achievement; conduct outreach with the local educational agency or the State to gain input on how to construct the appraisal system and to develop support for it; pay, as part of a comprehensive performance-based system, bonuses and increased salaries to teachers and principals who raise student achievement, so long as the grantee uses an increasing share of non-Federal funds to pay these monetary rewards each year of the grant; pay, as part of a comprehensive performance-based compensation system, additional bonuses to teachers who both raise student achievement and either teach in high-poverty schools or teach subjects that are difficult to staff, or both, so long as the grantee uses an increasing share of non-Federal funds to pay these monetary rewards each year of the grant; pay, as part of a comprehensive performance-based compensation system, additional bonuses to principals who both raise student achievement and serve in high-poverty schools, so long as the grantee uses an increasing share of non-Federal funds to pay these monetary rewards each year of the grant. Outlines what is required to be included in the grant application. Requires the Secretary to give priority to

applications for projects that would establish comprehensive performance-based compensation systems in high-need local educational agencies.

Section 243 requires the Secretary to conduct an independent evaluation of the program under this part and may use up to 1 percent of the funds made available under this part or \$1,000,000, whichever is less, for any fiscal year for the cost of the evaluation.

Section 244 establishes the authorization for this part as \$100,000,000 for fiscal year 2006 and such sums as may be necessary through 2010.

Section 205. Transition.

Requires the Secretary to take necessary actions to provide for the orderly implementation of this title.

TITLE III – INSTITUTIONAL AID

Section 301. Title III grants for American Indian Tribally Controlled Colleges and Universities.

Amends section 316(b) with regards to the definitions of eligible institutions and Indian.

Amends section 316(c)(2) to expand the authorized use of funds related to instructional facilities and to provide a new authorized activity with regards to distance learning.

Amends section 316(d) by changing the program from a competitive grant program to a formula grant program. Provides a minimum grant to each eligible institution of \$400,000. Removes the 2-year wait out period for these grants, as it is no longer necessary under a formula system.

Section 302. Alaska Native and Native Hawaiian-serving institutions.

Amends section 317(c)(2) to authorize the use of funds for the construction and maintenance of instructional facilities and the acquisition of real property adjacent to the campus. Creates an additional new authorized use of funds related to distance learning.

Amends section 317(c) by allowing grant funds to be used to establish or increase an endowment fund so long as the institution provides matching funds.

Amends section 317(d) by requiring the development of a 5-year improvement plan.

Section 303. Grants to part B institutions.

Amends section 323(a) by authorizing the use of funds for the construction and maintenance of instructional facilities and the acquisition of real property adjacent to the campus. Amends the authority to establish community outreach programs to prepare elementary and secondary students for postsecondary education.

Amends section 323 by adding a new subsection (c) to allow for the use of no more than two percent of funds received under Part B to secure technical assistance, financial management and strategic planning

Amends section 323(a)(2) to include activities related to distance learning.

Amends section 324(d)(1) to increase the minimum grant to \$750,000 under certain conditions.

Amends 326(a)(1) to require that the institution be accredited by a national accrediting agency and be in good standing.

Amends section 326(c) to authorize the use of funds for the construction and maintenance of instructional facilities and the acquisition of real property adjacent to the campus.

Amends section 326(e) to add the names of additional eligible institutions. Further amends section 326(e) to update the year for the special rule.

Amends section 326(f) to update the authorization levels. Further amends section 326(f) to update cross-references.

Amends section 326(g) to update the year for the hold harmless rule.

Section 304. Technical amendments.

Amends section 311(c) to include within the use of funds education or counseling services to improve financial and economic literacy.

Amends 312(b) to require that an institution offer not less than a two year program that is acceptable for full credit toward a bachelor's degree.

Amends section 316(c) to include within the use of funds education or counseling services to improve financial and economic literacy.

Amends section 317(c) to include within the use of funds education counseling services to improve financial and economic literacy.

Amends section 323(a) to include within the use of funds education counseling services to improve financial and economic literacy.

Makes several technical amendments.

Revises section 343(e) to add in a subsection heading to read: "Sale of Qualified Bonds."

Repeals section 1024 as transferred by section 301(a)(5) of the Higher Education Amendments of 1998.

Section 305. Title III authorizations.

Amends section 399(a) in regards to the authorization of appropriations.

TITLE IV – STUDENT ASSISTANCE

PART 1 – GRANTS TO STUDENTS

Section 401. Pell Grants.

Amends section 401(a) by extending the authority of the program. Further amends section 401(a) by striking paragraph (2) with regards to advance payment to students attending institutions that do not participate in the disbursement system.

Amends section 401(b) to increase the authorized annual maximum award to \$6,000 through academic year 2012-2013. Further amends section 401(b) by eliminating tuition sensitivity. Further amends section 401(b) by providing for year-round Pell grants for students enrolled for 12 months. Outlines the requirements for the awarding of the year-round Pell grants. Requires an evaluation and report by the Secretary by 2011.

Amends section 401(c) by inserting a new paragraph (5) that limits the period during which a student may receive a Pell Grant to the equivalent of 18 semesters or 27 quarters in duration (as determined by the Secretary) without regard to whether the student is enrolled on a full-time basis during any portion of that period, and including any period of time for which the student received Pell Grants prior to the date of enactment of this Act. Further amends section 401(c) by restricting the use of Pell Grants for remedial or English as a second language instruction to one academic year.

Further amends section 401(b) by prohibiting a student who is subject to an involuntary civil commitment upon completion of a period of incarceration for a sexual offense (as determined by the Secretary) from receiving a Pell Grant.

Amends subpart 1 of part A by inserting a new section 401A to create the Pell Grants Plus - Achievement Grants for State Scholars program. Outlines how students will be eligible to receive grants and sets the grant amount as \$1000 so long as the total amount of a student's financial assistance does not exceed the cost of attendance. Requires the Secretary to establish regulations for determining student eligibility. Outlines the requirements students must meet to continue to receive an award during his or her second year of undergraduate education. Requires the Secretary to monitor the progress, retention, and completion of students receiving awards, evaluate the impact of the program, and submit a report at least every two years to the authorizing committees of Congress. Repeals Chapter 3 of subpart 2 of part A, the Academic Achievement Incentive Scholarship program.

Section 402. TRIO programs.

Amends section 402A(b) to establish the duration of TRIO grants as five years and Staff Development Activities grants as two years, and allow the Secretary to determine the duration of Project Improvement and Dissemination Partnership Projects grants. Further amends section 402A(b) to synchronize outstanding grants to the five-year term. Further amends section 402A(b) to increase the minimum TRIO grants to \$200,000 and Staff Development Activities grants to \$170,000.

Amends section 402A(c) to require the Secretary to set aside ten percent of funds for novice applicants. In the event an insufficient number of quality novice applicants are available, requires the Secretary to distribute the ten percent among other applicants.

Amends section 402A(c) by striking the requirement that the Secretary notify current grant holders applying for an additional grant of the status of that application up to eight months prior to the expiration of the current grant.

Amends section 402A(e) with a technical amendment.

Amends section 402A(f) to establish the authorization level as \$836,500,000 and to extend the authorization through FY 2011.

Amends section 402A(g) by amending the definition of “Veteran Eligibility” and defining the terms “Different Campus” and “Different Population.”

Amends section 402B(b) to add education or counseling services that address the financial and economic literacy of students and parents to the list of permissible services.

Amends section 402C(b) to add education or counseling services that address the financial and economic literacy of students and parents to the list of permissible services.

Amends section 402D(b) to add education or counseling services that address the financial and economic literacy of students and parents to the list of permissible services.

Amends section 402E(b) to add education or counseling services that address the financial and economic literacy of students and parents to the list of permissible services.

Amends section 402F(b) to add education or counseling services that address the financial and economic literacy of students and parents to the list of permissible services.

Amends section 402C(e) by increasing the maximum stipend to \$100 for services carried out in June, July, and August, and to \$60 for services carried out during the remainder of the year.

Amends section 402D(d) to include within an application’s consideration the services provided to low-income working adults.

Amends section 402E(e) by increasing the maximum stipend to \$5,000.

Amends section 402F(c) by requiring the Secretary to consider the services that would be provided to low-income working adults when considering the application.

Section 403. GEARUP.

Amends section 404A(b) to establish the duration of the grant as six years.

Amends section 404A by inserting a new subsection (d) to ensure that entities currently receiving a grant may reapply once the grant expires.

Amends section 404B to allow services to be provided to students during their first year of college.

Amends section 404D to allow services to be provided to students during their first year of college.

Amends section 404C(a) to require applications for grants to include a description of activities in place to coordinate, complement, and enhance services provided by other State entities.

Amends section 404D(b) to include financial and economic literacy within the counseling provided.

Amends section 404H to increase the authorization level and extend the authorization through 2011.

Section 404. Federal Supplemental Educational Opportunity Grants.

Amends 413A(b) to increase the authorization level and extend the authorization through 2011.

Amends section 413D(a) to phase out of the base guarantee beginning in FY 2007. Further amends section 413D(a) to allow the Secretary, should the allocation exceed \$700,000,000 for fiscal year 2008 or any succeeding fiscal year, to allocate not more than 10 percent of such funds to institutions that graduate degree-seeking Pell recipients completing a four-year degree in four years and a two-year degree in two years.

Amends section 413D(c) to increase the books and supplies allowance to \$600.

Section 405. LEAP

Amends section 415A(b) to extend the authorization through 2011.

Section 406. HEP/CAMP program.

Amends section 418A(b) to expand recruitment services to include those with a spouse who is a migrant or seasonal farm worker. Further amends section 418A(b) to include preparation for college entrance exams and child care and transportation among the supportive services provided. Further amends section 418A(b) to allow up to two percent of funds to be used for follow up and reporting.

Amends section 418A(c) to expand outreach and recruitment services to include those with a spouse who is a migrant or seasonal farm worker. Further amends section 418A(c) to include economic education or personal finance counseling among the services provided. Further amends section 418A(c) to specify that mentoring and guidance should be included among the follow up services provided. Further amends section 418A(c) to encourage the transfer of those in a program of two years or less to a four year institution.

Amends section 418A(h) to increase the high school equivalency program authorization to \$24,000,000 and extend the authorization to 2011. Further amends section 418A(h) to increase the college assistance migrant program authorization to \$16,000,000 and extend the authorization to 2011.

Section 407. Byrd Scholarship.

Amends section 419K to extend the authorization to 2011.

Section 408. Child Care Access.

Amends section 419N(g) to extend the authorization to 2011.

Section 409. Learning Anytime Anywhere Partnerships.

Repeals subpart 8 of part A. Amends section 400(b) to make a conforming amendment.

Section 410. Technical amendments.

Makes two technical amendments to section 419C(b) and 419D(d)

PART 2 – FEDERAL FAMILY EDUCATION LOAN PROGRAM

Section 421. Reauthorization of Federal Family Education Loan program.

Amends section 421(b) to reference loan processing and issuance fee rather than administrative cost allowance.

Amends section 424(a) to extend federal insurance on student loans to 2012. Further amends section 424(a) to extend federal insurance on student loans for students who have other loans under this part and are continuing their education through 2016.

Amends sections 428(a) and 428C(e) to continue the authorization for the guaranteed and consolidation loan programs.

Section 422. Loan limits.

Amends sections 425(a) and 428(b) to increase the maximum annual loan limits for freshmen from \$2,625 to \$3,500 and for sophomores from \$3,500 to \$4,500.

Amends section 428C(a) by inserting a new clause (ii) in paragraph (3)(B) to clarify that the underlying loans in a consolidation loan will count against a borrower's aggregate borrowing limits.

Establishes that amendments made by this section will apply to loans made, insured, or guaranteed under part B or part D beginning July 1, 2007.

Section 423. Interest rates and special allowances.

Amends section 427A(k) to repeal the interest rate change to a fixed interest rate scheduled to take effect in 2006.

Amends section 427A by striking subsection (l) with regards to interest rates for new loans on or after July 1, 2006.

Amends section 455(b) to repeal the interest rate change to a fixed interest rate scheduled to take effect in 2006. Further amends section 455(b) by striking paragraph (7) with regards to interest rates for new loans on or after July 1, 2006.

Further amends section 427A(k) by inserting a new paragraph (5) to provide for a variable rate for all consolidation loans made on or after July 1, 2006. Establishes how the interest rate will be determined and establishes an interest rate cap.

Amends section 455(b) by inserting a new subparagraph (E) in paragraph (6) to provide for a variable rate for all consolidation loans made on or after July 1, 2006. Establishes how the interest rate will be determined and establishes an interest rate cap.

Makes technical amendment to section 428C.

Makes technical and conforming amendments to section 438(b). Further amends section 438(b) by striking clauses (v), (vi), and (vii) and inserting a new clause (v) in subparagraph (I) of paragraph (2) that requires the annual return of excess interest to the federal treasury, outlines how the excess interest is to be calculated, and defines the term "special allowance support level." States that the amendments made to this subsection do not apply to any loans made under this section before July 1, 2006.

States that the amendments made by section 423(e) of this bill will not apply to any special allowance payment made before July 1, 2006.

Section 424. Additional loan terms and conditions.

Amends section 428(b) by inserting a new subparagraph (H) in paragraph (1) to require student loan insurance programs to provide for the collection of a single insurance premium equal to no more than 1% of the loan principal, or for the collection and deposit into the Federal Student Loan Reserve Fund of a Federal default fee of 1% of the loan principal for loans made on or after July 1, 2006. Further amends section 428(b) by inserting a new clause (ii) in subparagraph (N) of paragraph (1) to require the disbursement of loan funds to students attending foreign schools to be made to the school unless the school requests that the funds be made payable to the student. Further amends section 428(b) to prohibit the Secretary from restricting the proportions or ratios by which payments may be graduated with the informed agreement of the borrower. Further amends section 428(b) by inserting a new clause (iv) in subparagraph (A) of paragraph (9) to provide for an interest only repayment plan, so long as the interest amounts to at least \$600, for the first two years of repayment.

Amends section 428H(h) to require student loan insurance programs with agreements with the Secretary under section 428(b)(1) to, in lieu of the insurance premium, collect and deposit into the Federal Student Loan Reserve Fund a Federal default fee of 1% of the loan principal for loans made on or after July 1, 2006.

Amends section 428A(a) by inserting a new subparagraph (C) in paragraph (1) to prohibit the Secretary from waiving the Federal default fee under sections 428(b)(1)(H) and 428H(h).

Amends section 455(d) to make technical and conforming amendments to align part B with part D.

Amends section 438(c) by inserting a new subparagraph heading in paragraph (2) to read: “(A) In General-.” Further amends section 438(c) by inserting a new subparagraph (B) within paragraph (2) to gradually reduce origination fees to 0% in 2010 for loans, except consolidation loans, made under part B.

Amends section 455(c) to reduce origination fees to 1% in 2010 for loans, except PLUS loans and consolidation loans, made under part D. Further amends section 455(c) by prohibiting the Secretary from waiving any amount of the loan fee prescribed under this section as part of a repayment incentive. Also prohibits the Secretary from providing any repayment incentive before a borrower enters repayment.

Section 425. Consolidation loan changes.

Amends section 428C(a) to terminate a student’s status as an eligible borrower under this section and section 455(g) upon the receipt of a consolidation loan under the Direct Loan program. Further amends section 428C(a) by inserting a new subclause (V) in clause (i) of subparagraph (B) of paragraph (3) to allow a student to obtain a Direct Loan consolidation loan only for the purposes of obtaining an income contingent repayment

plan. Further amends section 428C(a) to include a cross-reference to section 428(b)(7)(A) in subclause (I) of clause (ii) of subparagraph (3). Further amends section 428C(a) by striking subparagraph (C) of paragraph (3) with regards to spousal consolidation.

Amends section 428C(b) to require the Secretary to offer any eligible borrower that is denied a consolidation loan, or a consolidation loan with income-sensitive repayment terms, by an eligible lender under subsection (a)(1) of this section a direct consolidation loan if the eligible borrower submits an application. Further amends section 428C(b) by requiring lenders of consolidation loans to have an eligible borrower certify, in the case all of his or her loans are held by a single holder, that he or she has notified that holder of his or her interest in receiving a consolidation loan. Further amends section 428C(b) by striking an outdated references to a minimum loan balance required for consolidation. Further amends section 428C(b) by inserting a new subparagraph (F) in paragraph (1) that requires the consolidating lender to provide a borrower with a clear and conspicuous notice of the effects of consolidation on a borrower's total interest to be paid, fees and length of repayment; the effects of consolidation on a borrower's underlying loan benefits; the ability of the borrower to pre-pay the loan, pay on a shorter schedule, change repayment plans, and information making clear how borrower benefit programs may vary among lenders and loan holders; the tax benefits for which the borrower might be eligible; the consequences of default; and that by applying for the consolidation loan, the borrower is not obligated to take the loan.

Amends section 428(b) to require the repayment period to begin the day after 6 months after the date the student ceases to carry at least on-half the normal full-time academic workload as determined by the institution.

Establishes the effective date for the amendments under subsection (a)(2)(A) of this section of H.R. 609 as July 1, 2006.

Amends sections 455(a) and 455(g) to align consolidation loans under part D with the requirements of this section.

Section 426. Loan forgiveness for service in areas of national need.

Rewrites section 428K to amend the Loan Forgiveness for Child Care Providers program. Renames the program the Loan Forgiveness for Service in Areas of National Need program. Outlines the purposes of the section. Authorizes the Secretary to assume the obligation to repay a qualified loan amount for a loan made, insured, or guaranteed under this part or part D (excluding Plus and consolidated loans) by a borrower who has been employed full-time for at least five consecutive complete school, academic, or calendar years in an area of national need, and is not in default on a loan for which the borrower seeks forgiveness. Forgiveness is awarded on a first-come, first-served basis subject to the availability of appropriations. Identifies the areas of national need as being early childhood educators, nurses, and speech-language pathologists. Provides the Secretary the authority to designate the areas of national need. Establishes the qualified loan

amount as being not more than \$5,000. Prohibits a borrower from receiving a benefit for the same service under both this section and subtitle D of title I of the National and Community Service Act of 1990. Prohibits a borrower from receiving a reduction of loan obligations under both this section and sections 428J or 460. Defines the terms “Child Care Facility,” “Early Childhood Educator,” “Eligible Preschool Program,” “Low-Income Community,” and “Nurse.” Authorizes such sums as may be necessary for fiscal years 2006-2011.

Section 427. Unsubsidized Stafford Loans.

Amends section 428H(d) to increase the maximum annual loan limits for unsubsidized loans for graduate students from \$10,000 to \$12,000.

States that this amendment will apply to loans made on or after July 1, 2007.

Section 428. Elimination of termination dates from Taxpayer-Teacher Protection Act of 2004.

Amends section 438(b) as amended by the Taxpayer-Teacher Protection Act of 2004 to eliminate the termination dates for special allowances refund payments. Further amends section 438(b) by inserting a new clause (vi) in subparagraph (B) of paragraph (2) to require the quarterly rate of the special allowance to be the rate determined under subparagraphs (A), (E), (F), (G), (H), or (I) for a holder of loans that were made or purchased on or after October 1, 2005.

Amends section 3(b) of the Taxpayer-Teacher Protection Act of 2004 by striking paragraph (3) with regards to the effective date for new borrowers to be eligible for loan forgiveness.

Amends section 428J(a) by including a cross-reference to a new subsection (g)(3).

Amends section 428J(g) by inserting a new paragraph (3) to establish guidelines for private school teachers to qualify under this section.

Amends section 460(a) by inserting a cross-reference to a new subsection (g)(3).

Amends section 460(g) by inserting a new paragraph (3) to establish guidelines for private school teachers to qualify under this section.

Section 429. Additional administrative provisions.

Amends section 428(b) to require 100% insurance on “exempt claims.”

Amends section 428(c) by inserting a new subparagraph (G) in paragraph (1) to require 100% reinsurance on “exempt claims” and define “exempt claims” under this new subparagraph. Further amends section 428(c) to eliminate the requirement that forbearance agreements be documented in writing. Further amends section 428(c) by

inserting a new paragraph (10) that requires forbearance agreements to be recorded and confirmed with the borrower. Further amends section 428(c) by inserting a heading for clause (i) in paragraph (2)(A) and inserting a new clause (ii) to require the guaranty agreements to include requirements establishing procedures to preclude consolidation lending from being an excessive proportion of guaranty agency recoveries on defaulted loans. Further amends section 428(c) by amending a cross-reference, by inserting a new heading for subparagraph (A) in paragraph (6), by redesignating certain subparagraphs as clauses, and by adding new subparagraphs (B) and (C). The new subparagraphs require guaranty agencies, beginning October 1, 2006, to not charge collection costs that are more than 18.5 percent of the outstanding principal and interest of a defaulted loan that is paid off through consolidation; return to the Secretary a portion of the collection charge equal to 8.5 percent of the outstanding principal and interest of such defaulted loan; and, beginning October 1, 2009, to return to the Secretary the entire amount charged with respect to each defaulted loan that is paid off with excess consolidation proceeds. The new subparagraphs also define the term “excess consolidation proceeds.”

Amends section 428A(a) by striking the authority of the Secretary to waive the prohibition on inducements under certain circumstances.

Amends section 428A(c) by striking the existing paragraph (3) and inserting a new paragraph (3) that requires the Secretary to publish notification in the Federal Register of any new agreements and allow public comment on the proposed agreement prior to final approval.

Amends section 428F(a) to strike the requirement for 12 months of consecutive payments and insert a requirement for nine payments made within 20 days of the due date during 10 consecutive months. Further amends section 428F(a) by inserting a new subparagraph (C) of paragraph (1) to codify the collection costs permissible for rehabilitated loans at up to 18.5 percent of the outstanding principle and interest of the loan.

Amends section 428F by inserting a new subsection (c) that requires, where appropriate, each program described under subsection (b) of section 428F to make available financial and economic education materials for the borrower.

Amends section 432(k) to require the Secretary to provide financial and economic education and counseling.

Amends section 430A(a) to require loan holders to report to all national credit bureaus.

Amends section 432(l) to include the anticipated graduation date.

Amends section 432 by striking subsection (n) with regards to Default Reduction Management.

Amends section 435(d) by striking subparagraphs (C) through (F) of paragraph (2) and the language following subparagraph (F) and inserting new subparagraphs (C), (D), and

(E) to ensure any school now acting as a lender will lend only subsidized and unsubsidized Stafford loans to graduate students enrolled at that school; that any school acting as a lender will have a cohort default rate of 15 percent or less; and that any school acting as a lender will use all proceeds from any sale or other disposition of loans, and interest subsidies received from the Secretary, for need-based grant programs.

Amends section 437(a) to state that a borrower who has been certified as permanently and totally disabled by the Department of Veteran Affairs or the Social Security Administration will not be required to present further documentation.

Amends section 437(c) to include a parent's eligibility within the false certification section.

Amends section 439(d) by striking paragraph (3) with regards to the perfection of security interests in student loans.

Amends section 428(a) by inserting a new subclause (III) of clause (v) of subparagraph (A) of paragraph (3) to prohibit a lender from receiving interest on a loan disbursed through an escrow agent for any period that precedes the date that is 3 days before the first disbursement of the loan.

Further amends section 428(c) by requiring a guaranty agency to file a claim for reimbursement with respect to losses under this subsection within 30 days after the agency discharges its insurance obligation on the loan rather than 45.

Amends section 428(i) by amending from 21 days to 10 the timeline for lenders to make payments into the escrow account prior to the date of the disbursement of the installment to the borrowers.

Amends section 428H(e) by striking paragraph (6) and inserting a new paragraph (6) to prohibit a lender from receiving interest on a loan under this section for any period that precedes the dates described in section 428(a)(3)(A)(v).

Amends section 438(b) to require the daily interest to be computed using the interest rate described in section 3902(a) of title 31, United States Code.

Makes technical amendments.

PART 3 – FEDERAL WORK-STUDY PROGRAMS

Section 441. Authorization of appropriations.

Amends section 441(b) by extending the authorization through 2011.

Section 442. Community service.

Amends section 441(c) to remove the requirement that eligible child care services be open and accessible to the community.

Section 443. Allocation of funds.

Amends section 442(a) to phase out of the base guarantee beginning in FY 2007. Further amends section 442(a) to permit the Secretary, should the allocation for this program exceed \$700,000,000, to allocate not more than 10 percent of the excess to eligible institutions that graduate degree seeking Pell recipients attending four year colleges in four years and two year colleges in two years.

Establishes the effective date for the amendments made to section 442(a) as 2007.

Section 444. Books and supplies.

Amends section 442(c) by increasing the books and supplies allowance to \$600.

Section 445. Job location and development.

Amends section 446(a) to increase the amount and percentage of funds eligible for job location and development programs to 15 percent or \$75,000, which ever is less. Further amends section 446(a) to specify that at least one-third of this amount must be specifically allocated to locate and develop community service jobs.

Section 446. Work colleges.

Amends section 448 to strike “work-learning” and “work-service” and insert “work-learning-service.”

Amends section 448(e) with regards to the definition of “work-college.” Further amends section 448(e) by striking “work-learning” and inserting “work-learning-service” in paragraph (2) and amending the definition of “comprehensive student work-learning-service” in paragraph (2).

Amends section 448(f) by extending the authorization through 2011.

PART 4 – FEDERAL DIRECT LOAN PROGRAM

Section 451. Reauthorization of the Direct Loan Program.

Amends section 458(a) by increasing the authorization each year and extending the authorization through 2011.

Amends section 458(b) by establishing that the calculation basis will be 0.10 percent of the original principal amount of outstanding loans on which insurance was issued under part B.

Amends section 458(c) by striking subparagraphs (A) through (E) of paragraph (1) and inserting new subparagraphs (A) through (F) that establish new account maintenance fee caps.

Amends section 455(e) to strike the requirement that the borrower files a Federal income tax return jointly with his or her spouse.

PART 5 – FEDERAL PERKINS LOAN PROGRAM

Section 461. Reauthorization of programs.

Amends section 461(b) to extend the authorization of the program through 2011. Further amends section 461(b) to extend the authorization for loans to students to continue or complete courses of study through 2017.

Amends section 466 to extend the time frame after which an institution would have to return funds to the Secretary.

Amends section 462(a) to phase out of the base guarantee beginning in FY 2008.

States that the effective date for the amendments to section 462(a) will be FY 2008.

Amends section 462(c) to increase the books and supplies allowance to \$600.

Section 462. Loan terms and conditions.

Amends section 464(a) to increase the annual maximum loan limits from \$4,000 to \$5,500 for undergraduates and from \$6,000 to \$8,000 for graduate or professional students. Further amends section 464(a) to increase the aggregate loan limits for undergraduates from \$20,000 to \$27,500 and for graduate and professional students from \$40,000 to \$60,000. Further amends section 464(a) to increase the aggregate loan limits for students not otherwise covered under this paragraph from \$8,000 to \$11,000.

Amends section 464(e) to strike the requirement that a borrower must request forbearance in writing.

Amends section 464(f) to strike the terms schools must meet to allow compromise payments on defaulted loans; prohibits compromise payments on defaulted loans unless the Secretary grants approval.

Amends section 464(h) to lower from 12 to nine the number of consecutive payments that are required to be made for a loan to be considered rehabilitated.

Section 463. Loan cancellation.

Amends section 465(a) by striking clause (iii) of subparagraph (A) of paragraph (3) with regards to the percentage of loan forgiveness for members of the Armed Forces. Further amends section 465(a) by allowing for loan forgiveness for members of the Armed Forces at the same rate as is provided teachers who teach in a title I local educational agency; special education teachers; law enforcement officers; teachers in math, science, foreign languages, bilingual education, or other high need areas as defined by the State educational agency; nurses or medical technicians; and employees of a public or private nonprofit child or family service agency.

Section 464. Technical amendments.

Amends section 462(g) to clarify that consecutive payments are consecutive monthly payments.

Amends section 463(a) to require the Secretary to carry out the provisions of paragraph (4)(A). The Secretary is now only permitted to carry out these provisions.

Amends section 464(c) to correct incorrect designations.

Amends section 465(a) to correct a cross-reference. Further amends section 465(a) by making a technical correction.

Amends 467(b) to correct a cross-reference.

Amends section 469(c) to correct cross-references to the Individuals with Disabilities Education Act.

PART 6 – NEED ANALYSIS

Section 471. Simplified needs test improvements.

Amends section 479(b) by striking clause (i) of subparagraph (A) of paragraph (1) and inserting a new clause (i) to clarify that if parents of a dependent student or the dependent student file tax forms described in this subsection or certify that they are not required to file an income tax return, or if the parents receive benefits under a means-tested Federal benefit program, then the family will be eligible for a simplified needs test. Further amends section 479(b) by striking clause (i) of subparagraph (B) of paragraph (1) and inserting a new clause (i) to clarify that if an independent student and his or her spouse, if any, file a tax form described in this subsection or certify that the student and his or her spouse, if any, are not required to submit an income tax return, or if the student and his or her spouse, if any, receives benefits under a means-tested Federal benefit program, then the student will be eligible for a simplified needs test.

Amends section 479(c) by striking subparagraph (A) of paragraph (1) and inserting a new subparagraph (A) to clarify that if a dependent student and his or her parents file a tax form described in subsection (b)(3) or certify that they are not required to file an income tax return, or if the parents receive benefits under a means-tested Federal benefit program, then the family may be eligible to have an expected family contribution equal to zero. Further amends section 479(c) by striking subparagraph (A) of paragraph (2) and inserting a new subparagraph (A) to clarify that if an independent student and his or her spouse, if any, files a tax form described in subsection (b)(3) or certifies that the student and his or her spouse, if any, is not required to file an income tax return, or if the student and his or her spouse, if any, receives benefits under any means-tested Federal benefit program, then the student may be eligible to have an expected family contribution equal to zero.

Amends section 479 by inserting a new subsection (d) to define a means-tested Federal benefit program.

Section 472. Additional need analysis amendments.

Amends section 475(g) to increase the dependent student work protection allowance from \$2,200 to \$3,000 beginning July 1, 2006.

Amends section 478(h) by striking an incorrect cross-reference and clarifying what expenses are allowable under the employment expense allowance.

Amends section 479A(a) by inserting a new heading for the subsection and a new paragraph (1). Further amends section 479A(a) by inserting a new paragraph (2). Further amends section 479A(a) to include a student's status as a ward of the court before turning 18 as a special circumstance under the new paragraph (2). Further amends section 479A(a) by inserting new paragraphs (3) and (4) as technical amendments.

Amends section 480(d) to treat active duty members of the military as independent students for purposes of need analysis.

Amends section 480(e) by inserting a new paragraph (5) to exclude distributions from a qualified tuition program established under section 529 of the Internal Revenue Code of 1986 that is not included in gross income calculations under section 529.

Amends section 480(f) with regards to the definition of assets by including qualified tuition programs established under section 529 of the Internal Revenue Code of 1986. Further amends section 480(f) by inserting a new paragraph (2) to clarify that qualified tuition programs under section 529 of the Internal Revenue Code of 1986 will not be treated as an asset for a dependent student under section 475. The new paragraph (2) also clarifies how the value of a qualified tuition program will be calculated for the purposes of determining the assets of parents or independent students.

Amends section 480(j) by striking “; Tuition Prepayment Plans” from the heading of the subsection, striking paragraph (2), and inserting language in paragraph (3) to exclude distributions from a qualified tuition program under section 529 of the Internal Revenue Code of 1986 that are not includable in gross income calculations from counting as a resource.

PART 7 – GENERAL PROVISIONS RELATING TO STUDENT FINANCIAL ASSISTANCE

Section 481. Definitions of academic year and eligible program.

Amends section 481(a) by amending paragraph (2) to reduce the 30-week requirement for clock hour schools to 26 weeks.

Amends section 481(b) by inserting a new paragraph (3) to include within the definition of eligible program an instructional program that utilizes direct assessment of student learning or recognizes the direct assessment of student learning by others in lieu of credit hours or clock hours as the measure of student learning. This eligibility determination must be made by the Secretary for institutions being deemed eligible for the first time. Requires the Secretary to provide an annual report to Congress identifying the programs made eligible under this paragraph.

Section 482. Distance education.

Amends section 481(b) by inserting a new paragraph (4) to provide a definition of distance education as an eligible program for title IV purposes.

Amends section 484(l) by striking the one year or longer program of study requirement for a telecommunication course to not be considered a correspondence course; and, by striking the requirement that less than 50% of an institution’s courses be telecommunications or correspondence courses in order for telecommunications courses to not be considered correspondence courses. Further amends section 484(l) by excluding institutions described in the Carl D. Perkins Vocational and Technical Education Act of 1998.

Section 483. Expanding information dissemination regarding eligibility for Pell Grants.

Amends section 483(a) by inserting a new paragraph (8) to require the Secretary to make a special effort to notify students and parents who qualify for free lunch, food stamps, or other such programs, of their potential eligibility for a maximum Pell grant.

Section 484. Student eligibility.

Amends section 484(r) by striking paragraph (1) and inserting a new paragraph (1) to clarify that only those students enrolled and receiving student aid under Title IV at the time of the conviction will lose student aid eligibility.

Amends section 484(j) to clarify that students from the freely associated states will only be eligible for Pell Grants.

Amends section 484(q) to include a specific reference to the Internal Revenue Code of 1986 to define what information the Secretary will have access to.

Amends section 484(b) to include incarcerated parents among those not eligible for federal loans.

Amends section 484(b) by prohibiting a student who is subject to an involuntary civil commitment upon completion of a period of incarceration for a sexual offense (as determined by the Secretary) from being eligible for a loan under this title.

Section 485. Institutional refunds.

Amends section 484B(a) to clarify that LEAP funds are excluded from the requirements of this section. Further amends section 484B(a) to allow for multiple leaves of absence. Further amends section 484B(a) to provide a cross-reference to subsection (d) to determine how the percentage of the enrollment period or payment period that has been completed will be calculated. Further amends section 484B(a) to require the institution to contact a student who is eligible for a late disbursement or post-withdrawal disbursement and obtain confirmation that the loan funds are still required by the student, explain to the student his or her obligation to repay the funds, and document in his or her file the result of such contact and the final determination.

Amends section 484B(b) to provide an institution with 45 days from the date of the determination that a student has withdrawn to return the loan funds. Further amends section 484B(b) to clarify the rule that protects 50% of a student's grant funds. Further amends section 484B(b) by stating that students do not have to return amounts of \$50 or less. Further amends section 485B(b) by inserting a new subparagraph (D) in paragraph (2) to permit the Secretary to waive the Pell Grant amounts that students are required to return under this section if the withdrawals are by students residing in, employed in, or attending an institution that is located in an area in which the President has declared that a major disaster exists and whose attendance was interrupted because of the impact of the disaster on the student or the institution; and, if the withdrawals end within the academic year during which the declared disaster occurred or during the next succeeding academic year.

Makes technical amendment to section 484B(d) to correct a citation.

Section 486. Institutional and financial assistance information for students.

Amends section 485(a) to ensure that the information required under this section is made publicly available through appropriate outlets and included in reports required by the institution's accrediting agency. Further amends section 485(a) by including information about the institution's educational mission and goals in the information an institution

provides to students. Further amends section 485(a) by striking subparagraph (L) in paragraph (1) and inserting a new subparagraph (L) to expand the information institutions are required to provide students to include student outcomes for full time undergraduate students. Further amends section 485(a) to require institutions to include the process for registering any complaints with the appropriate accrediting agencies or associations in the information disclosed to students. Further amends section 485(a) by making a technical amendment to subparagraph (M) of paragraph (1). Further amends section 485(a) by inserting new subparagraphs (P) and (Q) in paragraph (1) to expand the information institutions must provide students to include the penalties found in the drug provision in section 484(r) and the institution's policies for accepting transfer of credit. The information regarding transfer of credit must include a statement that such decisions will not be based solely on the accrediting agency of the sending institution as long as the accrediting agency is recognized by the Secretary. States that nothing in the transfer of credit amendments authorizes an officer or employee of the Department to exercise any direction, supervision, or control over curriculum, program of instruction, administration, or personnel of any institution or accrediting agency. Further amends section 485(a) by striking paragraph (6) and inserting a new paragraph (6) to provide institutions an opportunity to provide supplemental data to enrolled and prospective students on the completion or graduation rate for students who leave school to serve in the armed services, on official church missions, or with a recognized foreign aid service of the Federal Government; and, inserting a new paragraph (7) to allow institutions now participating in the National Survey on Student Engagement (NSSE), Community College Survey of Student Engagement (CCSSE), or other similar survey to publicly report that data.

Amends section 485(b) by inserting a new paragraph (3) to require institutions to include in their exit counseling material the same consumer protection language required by lenders with regard to consolidation loans.

Amends section 485(f) to clarify that foreign institutions are not required to report data dealing with campus crime.

Section 487. College access initiative.

Amends part G by inserting a new section 485D to create a college access initiative. This new section will require the Secretary to direct each guaranty agency to gather information on programs and student aid available in the State in which the agency is designated. The information must be made available to the public free of charge and be reported to the Secretary to establish a directory of programs through web sites, publications, and other means determined by the Secretary. The new section requires each guaranty agency to establish a plan to gather and disseminate the information required. The new section outlines the information required from the guarantors and the activities the guarantors must undertake. The new section permits guarantors to utilize funds from operating funds pursuant to section 422B and, if any funds remain, from earnings on the restricted accounts under section 422(h)(4). The new section requires the Secretary and guaranty agencies to publicize the availability of the information within

270 days of enactment of this Act, particularly to traditionally underrepresented populations.

Section 488. Distance Education Demonstration Program.

Amends section 486(b) to make conforming and technical changes.

Amends section 486(d) by allowing the Secretary to select up to 100 institutions in any year after the program's first year rather than only 35 institutions in the third year, and to allow up to five degree-granting, accredited correspondence schools to participate.

Section 489. College affordability demonstration program.

Amends part G by inserting a new section 486A. The new section provides for a College Affordability Demonstration Program to provide innovation in the delivery of higher education and student financial aid in a manner resulting in reduced costs for students and institutions and more effective delivery of education and financial aid. The new section authorizes the Secretary to select up to 100 institutions to participate and enables the Secretary to waive requirements under this Act for participating institutions as the Secretary feels necessary to meet the purpose of this section. The new section defines what institutions are eligible, outlines how those institutions should apply, and outlines the criteria the Secretary should use to select participants. The new section requires the Secretary to report to the public and the authorizing committees of Congress the list of participating institutions and a list of the statutory or regulatory requirements being waived for each institution. The new section requires the Secretary to evaluate the program every two years and review the existing impediments to the development of distance education other nontraditional methods of expanding access to higher education. The new section requires the Secretary to report to the authorizing committees of Congress every two years on the progress of the demonstration program. The new section requires the Secretary to provide oversight of the participating institutions. The new section sets the termination date for the program as October 1, 2011.

Section 490. Program participation agreements.

Amends section 487(a) with a technical amendment to clarify that an institution must comply with the "return of Title IV funds" policy in section 484B. Further amends section 487(a) by inserting a new subparagraph (D) in paragraph (23) to clarify that an institution is permitted to provide voter registration material electronically via the form itself or with information and a link to the forms accepted in the institution's State. Further amends section 487(a) by inserting a new paragraph (24) that requires the institution to annually demonstrate to the Secretary that at least 10 percent of its tuition revenues are from sources paid by or on behalf of students from funds other than those provided directly under this title.

Makes a conforming amendment to section 102(b)(1) by striking paragraph (F) with regards to the requirement that proprietary schools have at least 10 percent of the school's revenues from non-title IV sources.

Amends section 487(c) to permit the Secretary to modify the requirements for foreign schools, and to waive requirements for foreign institutions with loan volumes under \$500,000.

Amends section 487(a) by inserting a new paragraph (24) to require institutions, within one year of the date of enactment of this Act, to disclose to an alleged victim of any crime of violence or nonforcible sex offense, the final results of any disciplinary proceeding. If the victim is deceased, that information is required to be disclosed to the victim's next of kin.

Section 491. Additional technical and conforming amendments.

Amends section 483(d) to correct a cross-reference to the Individuals with Disabilities Education Act.

Amends section 484(a) to make a technical correction.

Amends section 484(b) to correct a cross-reference to the section of this title which authorizes unsubsidized Stafford loans for middle-income borrowers. Further amends section 484(b) by making technical amendments to strike an unnecessary reference to section 428H.

Amends section 484(l) to correct a cross-reference to the Carl D. Perkins Vocational and Education Act of 1998.

Amends section 484A(b) by extending the provisions of paragraph (2) to loans made under parts D and E of this title.

Amends section 485B(a) by making several technical amendments to correct the designations of the paragraphs within this subsection and to correct a cross-reference to a section of the United States Code.

Amends section 491(c) by inserting a new paragraph (3) to clarify that an appointment to the Advisory Committee on Student Financial Assistance is effective upon appearing in the Congressional Record.

Amends section 491(h) with regards to payments to members of the Advisory Committee on Student Financial Assistance to conform to requirements regarding the pay of federal employees.

Amends section 491(k) by extending the authorization of the Advisory Committee to 2011.

Amends Title IV, part G by repealing section 493A with regards to year 2000 requirements at the department.

Amends section 498(c) by making a technical amendment.

Amends section 498(d) by making a technical amendment.

PART 8 – PROGRAM INTEGRITY

Section 495. Accreditation.

Amends section 496(a) by striking subparagraph (B) in paragraph (3) to allow states to be able to apply to the Secretary to become a recognized accreditor. Further amends section 496(a) by inserting a new subparagraph heading (A) at the beginning of paragraph (4) of the subsection and inserting a new subparagraph (B) of paragraph (4) to clarify that an accreditor who seeks to have distance education in the scope of the agency's accrediting process must demonstrate that the agency's standards effectively address the quality of an institution's distance education programs in the areas identified in paragraph (5) of this subsection; and, the agency requires that an institution that offers distance education programs to have processes by which it establishes that the student who registers in a distance education course or program is the same student who participates, completes the work, and receives the credit. Further amends section 496(a) by amending subparagraph (A) of paragraph (5) to require that accrediting agencies assess institutions' success with respect to student achievement in several areas. Further amends section 496(a) to include fiscal and administrative capacity and, under certain circumstances, board governance to the list of institutional characteristics the accreditor is required to evaluate. Further amends section 496(a) by striking paragraph (6) and inserting a new paragraph (6) that requires accreditors to establish and apply review procedures throughout the accrediting process and outlines what the procedures must provide for. Further amends section 496(a) by striking paragraph (8) and inserting a new paragraph (8) to require accreditors to make public and submit to the Secretary and the State licensing or authorizing agency a summary of agency or association actions involving any adverse action taken with respect to the institution.

Amends section 496(c) by amending paragraph (1) to ensure that members of accrediting teams are well-trained and knowledgeable about distance education. Further amends section 496(c) by inserting new paragraphs (7), (8), (9), (10), and (11), and (12) to require accreditors to include the information required in subparagraph (H) of section 485(a)(1) in the accreditors' reviews; to confirm that the institution has transfer policies that are publicly disclosed and do not deny transfer of credit based solely on the accreditation of the sending institution as long as the accreditor is recognized by the Secretary; to develop a summary available to the public of any adverse actions taken by the agency; to monitor the growth of distance education programs at institutions experiencing significant enrollment growth relative to institutional capacity in distance education; to disclose publicly a list of the individuals who comprised the evaluation teams during the prior calendar year and the title and institutional affiliation of each individual, a description of

the agency's process for selecting, preparing, and evaluating such individuals, and any statements related to the accreditation responsibilities of such individuals; and, to review the record of student complaints resulting from the student information process described in section 485(a)(1)(J).

Amends section 496(l) by inserting a new paragraph (3) to require the Secretary to provide an annual report to Congress on accrediting agencies or associations whose status has been limited, suspended or terminated.

Amends section 496 by inserting a new subsection (o) to require accreditors to ensure that institutions make publicly available in a uniform and comprehensible manner a college consumer profile. The new subsection outlines the information required to be included in the profile. Requires that the college consumer profile be publicly communicated through the Secretary's data collection and dissemination system. The new subsection permits the institution to use data collected under section 485 to compile the profile.

Amends section 498A(b) by inserting new paragraphs (6), (7), (8), and (9) to expand the requirements the Secretary must meet in fulfilling his or her responsibilities to include providing the institution an adequate opportunity to review and respond to any report or audit finding before a final determination is reached; reviewing and taking into consideration the institution's response in any final determination, and include in the final determination a written statement addressing the institution's response and stating the basis for the final determination and a copy of the institution's statement in response; maintaining and preserving the confidentiality of any report or audit until the requirements listed above are met; and, requiring that the authority to approve or issue any report or audit finding involving amounts that may exceed \$500,000 is not delegated beyond the Chief Operating Officer of Federal Student Aid.

Section 496. Report to Congress on prevention of fraud and abuse in student financial aid programs.

Amends title IV by inserting a new section 499. The new section requires the Secretary to commission an independent, non-partisan, comprehensive study on the prevention of fraud and abuse in title IV student financial aid programs and report the results of such study to Congress. Outlines the areas to be covered in the study. Establishes a deadline of December 31, 2007 for the Secretary to transmit the report to Congress. The report must include clear and specific recommendations for legislative and regulatory actions that are likely to significantly reduce the fraud and abuse in title IV programs.

TITLE V – DEVELOPING INSTITUTIONS

Section 501. Definitional changes.

Amends section 502(a) by clarifying that a Hispanic-Serving Institution must have an enrollment of undergraduate full-time equivalent students that is at least 25 percent

Hispanic at the end of the award year immediately preceding the date of application. Further amends section 502(a) by striking the requirement that a Hispanic-Serving Institution provide assurances that at least 50 percent of the institution's Hispanic students are low-income.

Section 502. Assurance of enrollment of needy students.

Amends section 511(c) to require the institution to provide in its application for a grant assurances that the institution has an enrollment of needy students as required in section 502(b).

Section 503. Additional amendments.

Amends section 502(a) to insert the requirement that the institution offer not less than a two year program that is acceptable for full credit toward a bachelor's degree.

Amends section 503(b) to insert within the uses of funds education or counseling services designed to improve financial and economic literacy of students and parents. Further amends section 503(b) by inserting within the allowable uses of funds the construction, maintenance, renovation, and improvement of instructional facilities, the purchase or rental of telecommunications technology equipment or services, and the acquisition of real property adjacent to the campus. Further amends section 503(b) to insert within the allowable uses of funds the establishment of community outreach programs and partnerships between institutions and local elementary or secondary schools.

Amends section 504(a) by striking the two year wait out period.

Makes a technical amendment to section 514(c).

Section 504. Title V authorization.

Amends section 518(a) with regards to the authorization of appropriations.

TITLE VI – TITLE VI AMENDMENTS

Section 601. International and foreign language studies.

Amends Section 601 with regard to the findings and purposes of this Act.

Amends section 602(a) by authorizing the Secretary to award grants to support instructors of the less commonly taught languages; authorizing the dissemination of materials developed by centers and programs to local educational agencies, public and private elementary and secondary schools, and institutions of higher education; authorizing projects that support in students an understanding of science and technology in coordination with foreign language proficiency; and encouraging partnerships between 2-

and 4-year institutions of higher education, colleges of education, and federal and state departments and agencies.

Amends section 603(c) regarding Language Resource Centers.

Amends section 604 by authorizing additional uses of funds for sending undergraduate students on educational programs abroad to enhance their foreign language proficiency and cultural knowledge; requiring grantees to submit program evaluations; and removing the 10 percent funding cap for this section.

Amends Section 605(a) by modifying authorized activities to encourage the Department of Education to engage in data collection, analysis, and dissemination of international education and foreign language needs and outputs.

Amends Section 606 by permitting museums to apply for grants under this section; by authorizing funds to be used for the acquisition of printed material from abroad for the purposes of this section, the development of standards for electronic access, the means for access of international data, the establishment of linkages with institutions abroad that facilitate access to foreign information, and to provide the Department of Education with the flexibility to establish new activities that are useful for carrying out the purposes of this section, with the idea that future technological changes may enhance the activities which could be conducted under this section; and allows the Secretary of Education to waive or reduce the non-Federal share for institutions that are eligible to receive assistance under part A or B of title III or under title V and have demonstrated a need for a waiver in the grant application.

Amends Section 607(b) by requiring the Secretary to take into account the degree to which grant applicants address national interests and generate and disseminate information from diverse perspectives with regard to international issues.

Amends Section 608(a) with regard to equitable distribution.

Amends Section 610 with regard to the authorization of appropriations.

Section 602. Business and international education programs.

Amends Section 612 by clarifying that minority serving institutions are eligible for assistance under this section; and by allowing the Secretary to waive or reduce the non-Federal share for institutions that receive assistance under part A or B of title III or under title V and have demonstrated a need for a waiver in the grant application.

Amends Section 613 by allowing the Secretary to waive or reduce the non-Federal share for institutions that receive assistance under part A or B of title III or under title V and have demonstrated a need for a waiver in the grant application.

Amends Section 614 with regard to the authorization of appropriations.

Section 603. Institution for International Public Policy.

Amends Section 621 by clarifying that the Institute for International Public Policy shall include all underrepresented minorities in its program in order to enhance participation in international service; by modifying the heading of Section 621 to read “Program for Foreign Service Professionals”; by clarifying that eligible recipients include all minority serving institutions and institutions that serve substantial numbers of underrepresented students; by requiring institutions to contribute an amount equal to at least one-half of the grant toward the conduct of the program supported by the grant; and allowing the Secretary to waive or reduce the non-Federal share for institutions that receive assistance under part A or B of title III or under title V and have demonstrated a need for a waiver in the grant application.

Amends Section 622 by encouraging collaboration among colleges and universities receiving funds under this title.

Amends Section 623(a) to include Alaska Native-serving, Native Hawaiian-serving, and Hispanic-serving institutions in the study abroad program.

Amends Section 624 by modifying the heading of Section 624 to read “Advanced Degree in International Relations;” and by authorizing the Institute for International Public Policy’s consortia of institutions to provide advanced degree programs in a variety of academic areas.

Amends Section 625 to include Alaska Native-serving, Native Hawaiian-serving, and Hispanic-serving institutions in the internships program; by repealing the Interagency Committee on Minority Careers in International Affairs; and by stating that students who participate in Internship programs under subsections (a) and (b) will be called “Ralph J. Bunche Fellows.”

Amends Section 626 by requiring the Secretary to submit a biennial report.

Amends Section 628 with regard to the authorization of appropriations for this part.

Section 604. Evaluation, outreach, and dissemination.

Amends Part D of title VI to include section 632. Section 632 authorizes the Secretary to use not more than 1 percent of the funds made available for this title for program evaluation, national outreach, and information dissemination activities.

Section 605. Advisory Board.

Amends Part D of title VI to include Section 633. Section 633 establishes the International Advisory Board and sets forth its mission, authorities, and purpose; clarifies that the Board will be independent of the Secretary and the Department of Education;

contains provisions regarding the Board's organizational structure and membership; and sets forth the functions and operations of the Board.

Section 606. Recruiter access to students and student recruiting information; safety.

Amends Part D of title VI to include sections 634 and 635. Section 634 sets forth provisions regarding recruiter access to students for the purpose of recruiting for graduate opportunities or prospective employment.

Section 635 contains provisions concerning student safety.

Section 607. National study of foreign language heritage communities.

Amends Part D of title VI to include section 636. Section 636 contains provisions requiring the Secretary, in consultation with the International Advisory Board, to conduct a study of foreign language heritage communities, particularly those communities that include speakers of languages that are critical to the national security of the United States; and requiring the Secretary to submit a report not later than a year after the date of enactment.

TITLE VII – TITLE VII AMENDMENTS

Section 701. Javits Fellowship program.

Amends Section 701(c) by allowing institutions of higher education to grant fellowship recipients an interruption of study due to active duty military service or a personal or family member illness.

Amends Section 702(a) (1) with regard to the allocation of fellowships within the Jacob K. Javits program and by requiring the Secretary to ensure that one member of the fellowship board will be from a minority serving institution.

Amends Section 703 with regard to stipends and by providing for institutional allowances.

Amends Section 705 with regard to the authorization of appropriations.

Section 702. Graduate Assistance in Areas of National Need.

Amends Section 712(b) pertaining to the designation of areas of national need.

Amends Section 712 by inserting subsection (c), which requires the Secretary to establish a priority for grants to prepare faculty to train highly qualified elementary and secondary school teachers of math, science and special education, and teachers who will provide instruction for limited English proficient individuals.

Amends Section 713(b) to require grantees that are departments, programs, or units involved in teacher preparation to provide assurances that the grantee collaborates with other departments within the institution to ensure a successful combination of training in both teaching and content.

Amends Section 714(b) with regard to stipends.

Amends Section 714(c) by making technical amendments.

Amends Section 715(a)(1) concerning additional assistance.

Amends Section 716 with regard to the authorization of appropriations.

Section 703. Thurgood Marshall Legal Educational Opportunity Program.

Amends Section 721(c) pertaining to contract and grant purposes for the Thurgood Marshall Legal Educational Opportunity program.

Amends Section 721(d)(1)(D) with regard to services provided.

Amends Section 721(h) with regard to the authorization of appropriations.

Amends Section 731 by repealing subsection (e).

Section 704. Fund for the Improvement of Postsecondary Education.

Amends Section 741 by authorizing the Secretary to consider applications for grants that recognize the needs of non-traditional student populations, focus on technology to deliver distance education, introduce reforms that encourage students to enter and reenter postsecondary institutions and pursue postsecondary study tied to individual needs, and provide support for services that improve high school graduation and college attendance and completion rates for disadvantaged students.

Amends Section 744(c) to clarify that special projects may include international partnerships with postsecondary institutions abroad, the establishment of academic programs that teach traditional American history, and institutional efforts to address pressing community needs.

Amends Section 745 with regard to the authorization of appropriations.

Section 705. Urban Community Service.

Amends title VII by repealing Part C, Urban Community Service program.

Section 706. Demonstration Projects to Ensure Students With Disabilities Receive a Quality Higher Education.

Amends Section 762(a) by allowing grants to address the needs of all students with disabilities.

Amends Section 762(b)(2) by allowing grantees to assist students with disabilities with the transition between secondary and postsecondary education and to use funds to develop innovative, effective and efficient distance education programs that would enhance access of students with disabilities to postsecondary education programs.

Amends Section 763 by requiring the application to include a description of how the institution will work to replicate the best practices of institutions of higher education with demonstrated success in serving students with disabilities.

Amends Section 765 with regard to the authorization of appropriations.

TITLE VIII – CLERICAL AMENDMENTS

Section 801. Clerical amendments.

Amends section 103 by inserting a new paragraph (1) to define the term “authorizing committees” as the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.

Amends multiple sections with technical amendments that strike the names of the Senate and House committees and insert references to the authorizing committees.

Makes several technical amendments to multiple sections to correct headings and cross-references.

Amends section 435(a) by striking subparagraph (B) of paragraph (3) with regards to Federal Supplemental Loans for Students.

States that nothing in these amendments should be construed to alter the terms, conditions, and benefits applicable to Federal supplemental loans for students under section 428A as in effect prior to July 1, 1994.

TITLE IX – AMENDMENTS TO OTHER EDUCATION LAWS

PART 1 – EDUCATION OF THE DEAF ACT OF 1986

Section 901. Laurent Clerc National Deaf Education Center.

Amends section 104(a) of the Education of the Deaf Act of 1986 by referencing the Laurent Clerc National Deaf Education Center.

Amends section 104(b) of the Education of the Deaf Act of 1986 by referencing the Laurent Clerc National Deaf Education Center. Further amends section 104(b) by inserting a new paragraph (5) that requires Gallaudet University, in consultation with the Secretary, to implement standards and assessments for the programs operated by the Laurent Clerc National Deaf Education Center that are consistent with the Elementary and Secondary Education Act of 1965. The standards and assessments must be in place by the beginning of the 2007-2008 academic year. The results of the assessments must be publicly reported.

Section 902. Authority.

Amends section 111 of the Education of the Deaf Act of 1986 by naming the Rochester Institute of Technology as the institution responsible for the National Technological Institute for the Deaf.

Section 903. Agreement for the National Technical Institute for the Deaf.

Amends section 112(a) of the Education of the Deaf Act of 1986 by naming the Rochester Institute of Technology as the institution responsible for the National Technological Institute for the Deaf.

Amends section 112(b) of the Education of the Deaf Act of 1986 by specifying the governing body as the Rochester Institute of Technology's Board of Trustees. Further amends section 112(b) by specifying that the Board of Trustees for the Rochester Institute of Technology is responsible for accounting for the indirect costs paid by the National Technological Institute for the Deaf to the Rochester Institute of Technology. Further amends section 112(b) by correcting the reference to the House and Senate authorizing committees.

Amends section 112(c) of the Education of the Deaf Act of 1986 by referring specifically to the Rochester Institute of Technology.

Section 904. Definitions.

Amends section 201 of the Education of the Deaf Act of 1986 by striking paragraph (3) with regards to the definition of institution of higher education. Further amends section 201 by inserting a new paragraph (7) that defines "RIT" as the Rochester Institute of Technology.

Section 905. Audit.

Amends section 203(a) of the Education of the Deaf Act of 1986 by correcting the reference to the Government Accountability Office.

Amends section 203(b) of the Education of the Deaf Act of 1986 by requiring the National Technological Institute for the Deaf to have an annual independent financial and

compliance audit made of the Rochester Institute of Technology's programs and activities, including the Institute's programs and activities. Further amends section 203(b) by correcting section references. Further amends section 203(b) by requiring a copy of each audit be delivered to the authorizing committees of the House and Senate. Further amends section 203(b) by specifically referring to the Rochester Institute of Technology.

Amends section 203(c) of the Education of the Deaf Act of 1986 by correcting the reference to the House and Senate authorizing committees.

Section 906. Reports.

Amends section 204 of the Education of the Deaf Act of 1986 by specifically referring to the Rochester Institute of Technology. Further amends section 204 by correcting the reference to the House and Senate authorizing committees. Further amends section 204 by requiring Gallaudet University and the Institute to report on the disposition of enrolled students within one year of graduation or completion.

Section 907. Liaison for educational programs.

Amends section 206(a) of the Education of the Deaf Act of 1986 to strike the reference to a 30 day deadline.

Section 908. Federal endowment programs for Gallaudet University and the National Technical Institute for the Deaf.

Amends section 207(a) of the Education of the Deaf Act of 1986 by specifically referring to the Rochester Institute of Technology.

Section 909. Oversight and effect of agreements.

Amends section 208(a) of the Education of the Deaf Act of 1986 by specifically referring to the Rochester Institute of Technology. Further amends section 208(a) by correcting the reference to the authorizing committees.

Section 910. Authorization of appropriations.

Amends section 205(c) of the Education of the Deaf Act of 1986 to extend the authorization through 2011.

Amends section 207(h) of the Education of the Deaf Act of 1986 to extend the authorizations through 2011.

Amends section 212 of the Education of the Deaf Act of 1986 to extend the authorizations through 2011.

PART 2 – ADDITIONAL EDUCATION LAWS

Section 921. Amendment to Higher Education Amendments of 1998.

Repeals several expired studies and programs from the Higher Education Amendments of 1998.

Amends section 804(b) of the Higher Education Amendments of 1998 to provide a deadline of September 30, 2007 for the Secretary to report the conclusions on the study on transfer of credits. Further amends section 804(b) to include the policies of institutions of higher education in the report.

Amends section 806(a) of the Higher Education Amendments of 1998 to include all institutions of higher education in the report.

Amends section 806(c) of the Higher Education Amendments of 1998 by setting the deadline as September 30, 2007 for the submission of the report.

Amends section 826(g) of the Higher Education Amendments of 1998 by extending the authorization through 2011.

Amends section 826 of the Higher Education Amendments of 1998 by correcting the paragraph designations.

Amends section 841(c) of the Higher Education Amendments of 1998 to establish the authorization level as \$3 million in 2006 and such sums through 2011.

Amends section 422(d) of the Higher Education Amendments of 1998 to establish an effective date for the amendments of July 1, 2006.

Section 922. Tribally Controlled College or University Assistance Act of 1978.

Amends section 110(a) of the Tribally Controlled Community College or University Assistance Act of 1978 to extend the authorization through 2011.

Amends section 306(a) of the Tribally Controlled Community College or University Assistance Act of 1978 to extend the authorization through 2011.

Amends section 403 of the Tribal Economic Development and Technology Related Education Assistance Act of 1990 to extend the authorization through 2011.

Amends section 2(a) of the Tribally Controlled Community College or University Assistance Act of 1978 to clarify the definition of “national Indian organization.”

Amends section 2(b) of the Tribally Controlled Community College or University Assistance Act of 1978 by striking paragraph (5) and inserting a new paragraph (5) to

clarify how eligible credits earned in a continuing education program should be counted in determining the Indian student count.

Amends section 103 of the Tribally Controlled Community College or University Assistance Act of 1978 by inserting a new paragraph (4) to require a tribally controlled college or university to be accredited by a nationally recognized accrediting agency recognized by the Secretary in order to be eligible for funds.

Section 923. Navajo Community College Act.

Amends section 5(a) of the Navajo Community College Act to extend the authorization through 2011.

Section 924. Education Amendments of 1992.

Amends section 1543(d) of the Education Amendments of 1992 to extend the authorization through 2011.

Section 925. Study of student learning outcomes and public accountability.

Requires the Secretary to provide for the conduct of a study of the best practices of States in assessing undergraduate postsecondary student learning, particularly as such practices relate to public accountability systems. Requires the study to be conducted by a national, non-partisan, or bi-partisan association or organization with knowledge in State practices and access to necessary State officials. The association or organization must also represent States or State officials. Outlines the topics to be covered by the study. Requires the agency or association conducting the study to establish and consult with a national committee that will meet at least twice a year to review the research, identify best practice models, and review recommendations. Outlines the membership of the national committee. Requires the association to consult regularly with the authorizing committees in the House and Senate and submit a report on the study to those committees no later than two years after the date of enactment of this Act.